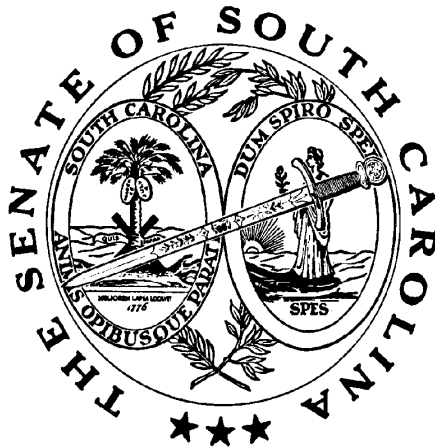


NO. 19

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

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**THURSDAY, FEBRUARY 19, 2009**

**Thursday, February 19, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

The Psalmist observed to the Lord God:

“When I look at your heavens, the work of your fingers, the moon and the stars that you have established; what are human beings that you are mindful of them, mortals that you care for them?”

(Psalm 8:3-4)

Let us pray:

Such a blessing it is, dear Lord, to live in such a beautiful State! From the ocean to the foothills, from our rivers to our lakes, South Carolina is such a marvelous place, full of incredible natural resources. Yet it is truly the people of this State that represent our greatest treasure. We thank You for all of Your blessings, loving God, and we ask You to guide these Senators as they continue to serve faithfully and well. Truly, help all of us in this great land as we draw strength from Your promises, promises made known from the very beginning of Creation itself. We praise You, O Lord. And in Your loving name we pray.

Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 19, 2009, at 11:15 A.M. and the following Acts and Joint Resolutions were ratified:

(R1, S. 234) -- Senator Rose: AN ACT TO REQUIRE THE SUPERINTENDENT OF DORCHESTER COUNTY SCHOOL DISTRICT NO. 2 TO PREPARE AND SUBMIT TO THE COUNTY AND THE MUNICIPALITIES WITHIN DORCHESTER SCHOOL DISTRICT NO. 2 AN ANNUAL REPORT DETAILING

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INFORMATION REGARDING THE IMPACT OF DEVELOPMENT ON SCHOOLS WITHIN THE DISTRICT, TO REQUIRE THE SUPERINTENDENT TO REQUEST FROM THE COUNTY AND ALL MUNICIPALITIES WITH LAND ENCOMPASSED BY THE DISTRICT APPLICATIONS AND ACCOMPANYING RESIDENTIAL HOUSING MATERIALS FOR LAND DEVELOPMENT PROJECTS THAT MEET CERTAIN CRITERIA, TO REQUIRE THE SUPERINTENDENT AND THE BOARD OF TRUSTEES TO DETERMINE WHETHER A PARTICULAR PROJECT WILL RESULT IN A SUBSTANTIAL IMPACT ON THE DISTRICT'S ABILITY TO PROVIDE SERVICES TO THE ADDITIONAL STUDENT POPULATION AND TO PREPARE AND SUBMIT A REPORT TO THE COUNTY AND ALL MUNICIPALITIES WITHIN THE DISTRICT DETAILING THE IMPACT AND NEED FOR ADDITIONAL RESOURCES.

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(R2, S. 235) -- Senator Rose: AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES FOR DORCHESTER SCHOOL DISTRICT NO. 2 TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS ONLY MAY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

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(R3, H. 3061) -- Rep. A.D. Young: AN ACT TO DESIGNATE A CERTAIN PORTION OF DORCHESTER COUNTY AS COOSAW POINTE, TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS INDICATING THIS AREA DESIGNATED AS COOSAW POINTE, AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO SEEK REIMBURSEMENT FROM THE LOCAL COUNTY

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TRANSPORTATION COMMITTEE FOR ANY INCURRED COSTS TO MANUFACTURE, INSTALL, OR MAINTAIN THESE REQUESTED SIGNS.

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(R4, H. 3232) -- Rep. Hosey: A JOINT RESOLUTION TO CHANGE THE CERTIFICATION DATE FOR THE RESULT OF A CAPITAL PROJECTS SALES AND USE TAX ACT REFERENDUM HELD AT THE TIME OF THE 2008 GENERAL ELECTION FROM NO LATER THAN NOVEMBER 30, 2008, TO NO LATER THAN DECEMBER 11, 2008.

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(R5, H. 3267) -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO OPERATION OF PUBLIC PUPIL TRANSPORTATION SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 3209, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R6, H. 3353) -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2009.

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**Leave of Absence**

On motion of Senator CAMPBELL, at 12:00 P.M., Senator CAMPSER was granted a leave of absence for today.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 450 Sen. Thomas

S. 336 Sen. Fair

S. 435 Sen. Cromer

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 452 -- Senators Campbell, Leatherman, Reese, Shoopman, Williams, Mulvaney, Pinckney, O'Dell, Ford, Knotts, Bryant, Land, Grooms, Hutto, Fair, Peeler, Sheheen, Ryberg, Massey, Elliott, Alexander, McGill, Bright, L. Martin, Matthews and Setzler: A BILL TO AMEND CHAPTER 4, TITLE 49 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SURFACE WATER WITHDRAWAL AND REPORTING ACT, TO PROVIDE THAT SUBJECT TO CERTAIN EXCEPTIONS, SURFACE WATER WITHDRAWALS MUST BE MADE PURSUANT TO A PERMIT, TO PROVIDE FOR COMPLETE EXEMPTIONS FROM THE PERMITTING REQUIREMENT, TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS MAY WITHDRAW SURFACE WATER WITHOUT A PERMIT BUT SUBJECT TO CERTAIN RESTRICTIONS, TO PROVIDE FOR NONCONSUMPTIVE SURFACE WATER WITHDRAWAL PERMITS, TO PROVIDE FOR AN APPLICATION PROCEDURE FOR SURFACE WATER WITHDRAWERS THAT OWN AND OPERATE A LICENSED IMPOUNDMENT OR NEW SURFACE WATER WITHDRAWERS THAT WITHDRAW WATER FROM A LICENSED IMPOUNDMENT, TO PROVIDE FOR REPORTS TO THE DEPARTMENT OF NATURAL RESOURCES FROM PERMITTED AND REGISTERED WATER WITHDRAWERS AND THE CONTENTS OF THOSE REPORTS, TO PROVIDE THAT REGISTERED AND EXEMPT SURFACE WATER WITHDRAWERS MAY APPLY FOR A SURFACE WATER WITHDRAWAL PERMIT, TO AUTHORIZE NONRIPARIAN USE OF SURFACE WATER, TO PROVIDE FOR A PERMITTING PROCESS FOR NEW SURFACE WATER WITHDRAWERS, TO PROVIDE FOR THE CONTENTS OF THE APPLICATION, TO PROVIDE FOR THE DEPARTMENT'S DETERMINATION CONCERNING THE PERMIT, TO PROVIDE FOR PUBLIC HEARINGS CONCERNING NEW PERMIT APPLICATIONS FOR INTERBASIN TRANSFERS, TO PROVIDE FOR THE CONTENTS OF ISSUED PERMITS AND THE RIGHTS CONFERRED BY A PERMIT, TO PROVIDE FOR CIRCUMSTANCES UNDER WHICH A PERMIT MAY BE MODIFIED, SUSPENDED, OR REVOKED, TO PROVIDE FOR NOTICE TO THE DEPARTMENT

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CONCERNING CERTAIN NEW WATER INTAKES, TO PROVIDE FOR TEMPORARY PERMITS, TO PROVIDE AUTHORIZED WITHDRAWAL AMOUNTS, TO PROVIDE FOR OPERATIONAL AND CONTINGENCY PLANS, TO PROVIDE FOR POWERS AND DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES CONCERNING IMPLEMENTATION OF THE CHAPTER, TO PROVIDE APPROPRIATE PENALTIES FOR VIOLATIONS, TO PROVIDE FOR PERMIT APPLICATION FEES; AND TO REPEAL CHAPTER 21, TITLE 49, RELATING TO THE INTERBASIN TRANSFER OF WATER, TO PROVIDE THAT CHAPTER 1, TITLE 49, RELATING TO GENERAL PROVISIONS CONCERNING WATER, WATER RESOURCES, AND DRAINAGE IS NOT AFFECTED BY AND SUPERCEDED BY CHAPTER 4, TITLE 49 AND TO PROVIDE APPROPRIATE DEFINITIONS.

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Senator CAMPBELL spoke on the Bill.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 453 -- Senator Verdin: A BILL TO AMEND CHAPTER 4, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK, AND POULTRY, BY ADDING SECTION 47-4-160 TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY NOT ENACT ORDINANCES, ORDER, OR OTHER REGULATIONS CONCERNING THE CARE AND HANDLING OF LIVESTOCK AND POULTRY, TO PROVIDE THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY TO OCCUPY THE FIELD CONCERNING THE REGULATION OF CARE AND HANDLING OF LIVESTOCK AND POULTRY, AND TO PROVIDE THAT LOCAL LAWS, ORDINANCES, ORDERS, OR OTHER REGULATIONS CONCERNING THE CARE AND HANDLING OF LIVESTOCK AND POULTRY ARE PREEMPTED AND SUPERSEDED.

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Senator VERDIN spoke on the Bill.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

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S. 454 -- Senator Peeler: A BILL TO AMEND CHAPTER 56, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PYROTECHNIC REGULATIONS, SO AS TO REVISE THE CHAPTER TITLE, TO PROVIDE STATE POLICY CONCERNING PYROTECHNICS, TO INCREASE THE STATE BOARD OF PYROTECHNIC SAFETY FROM SIX TO SEVEN MEMBERS, TO DEFINE TERMS, TO REQUIRE LICENSURE FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS, TO AUTHORIZE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, FIRE CHIEFS, AND LAW ENFORCEMENT OFFICERS TO INVESTIGATE COMPLAINTS, TO PROVIDE GROUNDS FOR DISCIPLINARY ACTION, TO REQUIRE LIABILITY INSURANCE, TO REQUIRE REPORTING OF FIRES AND EXPLOSIONS, TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS, AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PERSONS HANDLING FIREWORKS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 455 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 38 SO AS TO ENACT THE "SOUTH CAROLINA HEALTHNET PROGRAM"; TO PROVIDE FOR THE CREATION OF A FIVE-YEAR PILOT PROGRAM TO PROMOTE THE AVAILABILITY OF HEALTH INSURANCE COVERAGE TO EMPLOYEES OF SMALL EMPLOYER GROUPS AND HEALTH GROUP COOPERATIVES REGARDLESS OF HEALTH STATUS OR CLAIMS EXPERIENCE, ESTABLISH RULES REGARDING RENEWAL OF COVERAGE, LIMITATIONS ON THE USE OF PREEXISTING CONDITIONS EXCLUSIONS, ASSURE FAIR ACCESS TO HEALTH PLANS AND IMPROVE OVERALL FAIRNESS AND EFFICIENCY OF THE SMALL GROUP HEALTH INSURANCE MARKET; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR THE COMPOSITION AND AUTHORITY OF THE BOARD OF DIRECTORS; TO PROVIDE FAIR MARKETING STANDARDS; TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA FOR PLAN ADMINISTRATION IN THE PLAN OF

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OPERATION; TO PROVIDE FOR RATES; TO PROVIDE FOR PROVIDER PARTICIPATION; TO PROVIDE FOR THE APPLICABILITY AND SCOPE OF THE CHAPTER; TO PROVIDE THAT SMALL GROUP HEALTH INSURERS SHALL OFFER AND MARKET PLANS DEVELOPED BY THE SOUTH CAROLINA HEALTHNET PROGRAM; TO PROVIDE FOR HEALTH BENEFIT PLAN STANDARDS; TO PROVIDE FOR ELIGIBILITY STANDARDS AND PROVIDE EXCEPTIONS; TO PROVIDE FOR TERMINATION AND NONRENEWAL OF COVERAGE; TO PROVIDE FOR CLAIMS DATA TO BE REPORTED TO THE PROGRAM; TO REQUIRE THE BOARD TO SUBMIT A REPORT REGARDING THE IMPLEMENTATION OF THE PROGRAM; AND TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF CHAPTER 60, TITLE 38 ADDED BY THIS ACT.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 456 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-361 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY IMPOSE AND COLLECT AN ADMINISTRATIVE FINE AGAINST LICENSED MOTOR VEHICLE DEALERS WHO VIOLATE CERTAIN PROVISIONS OF LAW, AND PROVIDE THAT THE DEPARTMENT SHALL EMPLOY THE STAFF NECESSARY TO ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION.

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Read the first time and referred to the Committee on Transportation.

S. 457 -- Senators Elliott and Williams: A SENATE RESOLUTION TO CONGRATULATE THE DILLON HIGH SCHOOL FOOTBALL TEAM FOR ITS 2008 CLASS AA STATE CHAMPIONSHIP WIN, AND TO HONOR THE PLAYERS, COACHES, AND STAFF OF THE CHAMPIONSHIP TEAM.

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The Senate Resolution was adopted.



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S. 458 -- Senators Jackson and Pinckney: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND WILLIE J. NELSON, OF RICHLAND COUNTY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 3333 -- Reps. A. D. Young, J. H. Neal, Simrill and T. R. Young: A BILL TO AMEND SECTION 14-1-206, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY GENERAL SESSIONS COURTS, SO AS TO PROVIDE AN AMOUNT TO THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY; AND TO AMEND SECTION 14-1-207, AS AMENDED, RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY MAGISTRATES COURTS, SO AS TO PROVIDE AN AMOUNT TO THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY.

Read the first time and referred to the Committee on Judiciary.

H. 3551 -- Reps. Littlejohn, Mitchell, Allison, Anthony, Cole, Forrester, Kelly, Millwood and Parker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY DESIGNATING SECTIONS 59-53-1110, 59-53-1120, 59-53-1130, AND 59-53-1140 AS SUBARTICLE 1 AND ENTITLED "SPARTANBURG COUNTY COMMISSION FOR TECHNICAL AND COMMUNITY EDUCATION" OF ARTICLE 14, CHAPTER 53, TITLE 59; AND BY ADDING SUBARTICLE 2 TO ARTICLE 14, CHAPTER 53, TITLE 59 SO AS TO ENACT THE "SPARTANBURG COMMUNITY COLLEGE ENTERPRISE CAMPUS AUTHORITY ACT", AND TO PROVIDE FOR ITS POWERS AND DUTIES.

Read the first time and referred to the Committee on Education.

#### **HOUSE CONCURRENCE**

S. 444 -- Senator Shoopman: A CONCURRENT RESOLUTION TO HONOR MRS. CONNIE LYNN BOMAR OF GREER ON THE OCCASION OF HER NINETY-FIFTH BIRTHDAY, TO CELEBRATE HER RICH AND FULL LIFE, AND TO WISH HER A

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FUTURE OF GOOD HEALTH AND CONTINUED ENJOYMENT  
OF HER MANY FRIENDS AND LOVING FAMILY.

Returned with concurrence.

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE  
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3295 -- Reps. Hamilton, Allen, Bedingfield, Cato, Dillard, Nanney, Stringer and Wylie: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON JANUARY 8, 2009, BY THE STUDENTS OF PARIS ELEMENTARY SCHOOL, TAYLORS ELEMENTARY SCHOOL, AND SEVIER MIDDLE SCHOOL WHEN THE SCHOOLS WERE CLOSED DUE TO A POWER OUTAGE IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

**THIRD READING BILL**

The following Joint Resolution was read the third time and ordered sent to the House of Representatives:

S. 432 -- Senators Malloy, Knotts and Campsen: A JOINT RESOLUTION TO EXTEND THE TIME IN WHICH THE SENTENCING REFORM COMMISSION, AS ESTABLISHED BY ACT 407 OF 2008, SHALL SUBMIT ITS REPORT TO THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE FROM JUNE 1, 2009, TO FEBRUARY 1, 2010, AT WHICH TIME THE COMMISSION SHALL BE DISSOLVED.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 98 -- Senator Land: A BILL TO AMEND SECTION 50-21-120 OF THE 1976 CODE, RELATING TO THE DUTY OF THE OWNER

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OF A BOAT LIVERY, TO REMOVE THE PROVISIONS MANDATING THE OWNER'S LIABILITY FOR NEGLIGENT OPERATION OF A VESSEL.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Committee on Fish, Game and Forestry proposed the following amendment (98R002.RWC), which was adopted:

Amend the bill as and if amended, Page 1, by striking line 28 and inserting:

/ the equipment required pursuant to Section ~~50-21-610~~ 50-21-170 and any /

Renumber sections to conform.

Amend title to conform.

Senator LAND explained the committee amendment.

The committee amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**CARRIED OVER**

S. 195 -- Senator McConnell: A BILL TO AMEND SECTION 50-21-870 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WEARING OF PERSONAL FLOTATION DEVICES ON PERSONAL WATERCRAFTS, SO AS TO PROVIDE THAT A PERSON IS NOT REQUIRED TO WEAR A PERSONAL FLOTATION DEVICE IF THE PERSON IS IN POSSESSION OF A PERSONAL WATERCRAFT THAT IS LOCATED IN THREE FEET OF WATER OR LESS, AND IS ANCHORED, AND THE ENGINE IS NOT OPERATING.

On motion of Senator CROMER, the Bill was carried over.

S. 451 -- Senator Pinckney: A BILL TO AMEND ACT 784 OF 1954, AS AMENDED, RELATING TO THE BEAUFORT-JASPER COUNTY WATER AUTHORITY, TO PROVIDE THAT ALL FOUR JASPER COUNTY APPOINTEES ARE TO BE RECOMMENDED

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TO THE GOVERNOR BY THE LEGISLATIVE DELEGATION OF  
JASPER COUNTY FROM THE COUNTY AT LARGE.

On motion of Senator DAVIS, the Bill was carried over.

S. 184 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 40-27-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO BUYS JUNK, SO AS TO REQUIRE A PERSON WHO BUYS JUNK THAT CONSISTS OF TWENTY-FIVE POUNDS OF SCRAP METAL OR VEHICLE PARTS TO KEEP WITH THE RECORD OF PURCHASE A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS; TO AMEND SECTION 40-27-40, RELATING TO PENALTIES FOR VIOLATING PROVISIONS OF THE JUNK DEALER ARTICLE, SO AS TO INCREASE THE FINE FROM A MAXIMUM OF ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE; TO AMEND SECTION 56-5-5670, RELATING TO A DEMOLISHER PURCHASING OR ACQUIRING A VEHICLE TO DEMOLISH, SO AS TO REQUIRE A DEMOLISHER THAT ACQUIRES A VEHICLE OR VEHICLE PARTS WITH A TOTAL WEIGHT OF TWENTY-FIVE POUNDS OR MORE TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS AND TO ESTABLISH THAT A VIOLATION OF THOSE PROVISIONS IS A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NOT EXCEEDING FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, WITH EACH VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND TO AMEND SECTION 56-5-5945, RELATING TO A DEMOLISHER OBTAINING A VEHICLE TITLE, SO AS TO REQUIRE A DEMOLISHER WHO PURCHASES OR ACQUIRES A VEHICLE OR VEHICLE PART WITH A TOTAL WEIGHT OF TWENTY-FIVE OR MORE POUNDS TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT PICTURE IDENTIFICATION CARD THAT SHOWS THE

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PERSON'S NAME AND ADDRESS AND THE YEAR, MAKE, MODEL, AND IDENTIFICATION NUMBER OF THE VEHICLE, IF AVAILABLE, ALONG WITH ANY OTHER IDENTIFYING FEATURES, AND TO PROVIDE A VIOLATION CONSTITUTES A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NO MORE THAN FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, OR BOTH, AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE.

On motion of Senator L. MARTIN, the Bill was carried over.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

On motion of Senator L. MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie, Malloy and Setzler: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

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The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator SETZLER was recognized to explain the Bill.

On motion of Senator SETZLER, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senators McCONNELL and McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Virginia Brockington Gourdin, of Charleston, S.C., the first woman from Charleston to serve in the State Legislature. She was born in Kingstree and grew up farming cotton, tobacco and pine trees and was elected to the House of Representatives in 1958.

**ADJOURNMENT**

At 12:05 P.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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